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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALLSTATE INSURANCE COMPANY,
ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY, ALLSTATE
INDEMNITY COMPANY, and ALLSTATE
FIRE & CASUALTY INSURANCE
COMPANY,

Plaintiffs,

v.

RUSSELL J. SHAH, MD, DIPTI R. SHAH,
MD, RUSSELL J. SHAH, MD, LTD., DIPTI
R. SHAH, MD, LTD., and RADAR
MEDICAL GROUP, LLP dba UNIVERSITY
URGENT CARE, DOES 1-100, and ROES
101-200,

Defendants.

AND RELATED CLAIMS

CASE NO. 2:15-cv-01786-APG-DJA

**STIPULATION AND ORDER FOR
EXTENSION OF TIME FOR ALLSTATE
TO RESPOND TO THE RADAR
PARTIES' MOTION FOR SUMMARY
JUDGMENT FILED 12/16/22**

(Fifth Request)
(Present due date is March 10, 2023)

1 Plaintiffs/Counter-defendants ALLSTATE INSURANCE COMPANY, ALLSTATE
 2 PROPERTY & CASUALTY INSURANCE COMPANY, ALLSTATE INDEMNITY COMPANY,
 3 and ALLSTATE FIRE & CASUALTY INSURANCE COMPANY (collectively, “Allstate”), and
 4 Defendants and Counterclaimant RUSSELL J. SHAH, M.D. (“Dr. Russell Shah”), DIPTI R. SHAH
 5 M.D. (“Dr. Dipti Shah”), RUSSELL J. SHAH, MD, LTD. (“Russell PC”), DIPTI R. SHAH, MD,
 6 LTD. (“Dipti PC”), and RADAR MEDICAL GROUP, LLP (“Radar”) (collectively, the “Radar
 7 Parties”), by and through their respective counsel of record, hereby stipulate and agree as follows:

8 1. The parties herein are stipulating to provide Allstate until Tuesday, March 14, 2023
 9 to file its Response to the Radar Parties’ Motion for Summary Judgment on Allstate’s Causes of
 10 Action in its First Amended Complaint [ECF Nos. 460, 461] (“Radar MSJ No. 2”).

11 2. This morning, Allstate’s counsel ran into serious technical problems in that the
 12 exhibits in support of Allstate’s Response to Radar MSJ No. 2 became corrupted, causing Allstate’s
 13 counsel’s printers to crash. Allstate’s counsel is working with its IT department to fix the issue,
 14 however, it will require an extensive rebuild of the exhibits which will not be completed today.
 15 Allstate’s counsel intends to work as quickly as possible to rectify the problem, and will file the
 16 Response to Radar MSJ No. 2 by Tuesday, March 14, 2023 at the latest. However, it will not be
 17 until early next week before this issue is corrected. The paginated exhibits to Allstate’s Response
 18 are essential to finalize the citations to the record for its memorandum of points and authorities.

19 3. Yesterday, Allstate filed its Response to the Radar Parties’ Motion for Summary
 20 Judgment Regarding Allstate’s Failure to File an Answer to the Amended Counterclaims [ECF No.
 21 457] (“Radar MSJ No. 1”). (*See* ECF Nos. 511-512.)

22 4. Today, Radar is filing its Response to Allstate’s Motion for Summary Judgment as
 23 to both counterclaims alleged by Radar in this matter [ECF No. 458] (“Allstate MSJ”) (*See* ECF
 24 Nos. 513, 514.)

25 5. Allstate fully expected to file its Response today to Radar MSJ No. 2; however, the
 26 technical problems simply cannot be overcome today.

27 6. In light of the amount of time that was initially granted to the parties to file their
 28 respective Motions for Summary Judgment after the close of discovery, the critical importance of

1 having the paginated exhibits to Allstate's Response on Radar MSJ No. 2 for citation purposes in
2 the memorandum of points and authorities, the parties hereby stipulate and agree that Allstate shall
3 now have until March 14, 2023, to file its Response to Radar MSJ No. 2.

4 7. This is the fifth and expected to be final extension of time for Allstate to file a
5 Response to Radar MSJ No. 2. This stipulation is made in good faith and not to delay the
6 proceedings.

7 IT IS SO STIPULATED.

8 Dated: March 10, 2023.

Dated: March 10, 2023

9 McCORMICK, BARSTOW, SHEPPARD,
10 WAYTE & CARRUTH LLP

BAILEY KENNEDY

11 By: /s/ Todd W. Baxter

By: /s/ Joshua P. Gilmore

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18 *Attorneys for Plaintiffs/Counterdefendants*

19 **ORDER**

20 IT IS SO ORDERED.

21 DATED this 10th day of March, 2023.



22 _____
23 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of March, 2023, a true and correct copy of **FIFTH STIPULATION AND ORDER FOR EXTENSION OF TIME TO RESPOND TO THE PARTIES' MOTIONS FOR SUMMARY JUDGMENT FILED 12/16/22** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Helen L. Walton

Helen L. Walton, an employee of
MCCORMICK, BARSTOW, SHEPPARD,
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